

**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

21406-001

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] Aug. 05, 2008 via EFS  
on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed  
name \_\_\_\_\_

ANTHONY KING

In re Application of

Cheng, Li-Ming et. al.

Application Number

10/743,178

Filed

DEC. 23, 2003

For Push up, Pull Down, Shade Appar.

Art Unit

3634

Examiner

Johnson, Blair

Applicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$510

Previously submitted  
on  
Dec. 10, 2007  
Notice of  
Appeal  
with

- ☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \_\_\_\_\_
- ☐ A check in the amount of the fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 50-3856. I have enclosed a duplicate copy of this sheet.
- ☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- ☐ applicant/inventor.
- ☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)
- ☒ attorney or agent of record. 49,063  
Registration number \_\_\_\_\_
- ☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34. \_\_\_\_\_

Anthony King  
Signature

ANTHONY KING

Typed or printed name

949 260 4797

Telephone number

AUG. 05, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☒ \*Total of 2 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450**

Appl No.: **10/743,178**  
Applicant: **Cheng, Li-Ming**  
Filing Date: **12/23/2003**  
Art Unit: **3634**  
Examiner: **Johnson, Blair**  
Attorney Docket No.: **21406-001**

Commissioner for Patents  
Mail Stop AF  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner.

Please note, this application was previously on Appeal, and the Examiner re-opened prosecution by way of issuing a revised Final Office Action (dated June 13, 2008). In response to the revised Final Office Action of June 13, 2008, the Applicant hereby submits a Notice of Appeal, Appeal Brief. No fee is believed to be due, since Notice of Appeal fee of \$510 and Appeal Brief fee of \$510 were previously paid for.

The Applicant hereby makes note of relevant events relating to this Appeal:

9/25/2007      Final Office Action mailed  
10/31/2007      Response to Final Office Action submitted  
11/14/2007      Advisory Action mailed  
12/10/2007      **Notice of Appeal submitted along with \$510**  
12/10/2007      Request for Pre-Appeal Brief Conference submitted  
12/20/2007      Notice of Decision mailed  
3/6/2008        **Opening Brief submitted along with \$510**

Application No. 10/743,178

3/21/2008 Notice of Non-Compliant Brief mailed

4/7/2008 Amended Brief submitted

6/13/2008 Final Office Action mailed

**Fee Payments**

If the Applicant is required to pay an additional Notice of Appeal fee of \$510, and an additional Appeal Brief fee of \$510, as well as other necessary Appeal fees, the Director is hereby authorized to charge, or credit any overpayment to deposit account 50-3856.

Respectfully submitted,

By /Anthony S. King/  
Anthony S. King  
Registration No. 49,063  
August 5, 2008

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